

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEBORAH DONOGHUE,) Case No. 08cv510-JM (WMC)
)
Plaintiff,) **NOTICE AND ORDER FOR**
) **TELEPHONIC EARLY NEUTRAL**
v.) **EVALUATION CONFERENCE**
)
IMMUNOSYN CORP., et al.,)
)
Defendants.)
)
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IT IS HEREBY ORDERED that a **TELEPHONIC** Early Neutral Evaluation of your case will be held on June 4, 2008 at 2:00 p.m. in the chambers of the Honorable William McCurine, Jr., United States Magistrate Judge, **COUNSEL ARE REQUIRED TO PARTICIPATE.** **PARTIES ARE NOT REQUIRED TO PARTICIPATE.** **COUNSEL FOR PLAINTIFF IS ORDERED TO INITIATE THE CALL BY FIRST TELEPHONING OPPOSING COUNSEL AND THEN TELEPHONING THE COURT AT 619-557-6624.**

Absent extraordinary circumstances, requests for continuances will not be considered unless submitted in writing no less than fourteen (14) days prior to the scheduled conference.

1 Requests to be excused from participation for
2 **extraordinary circumstances** must be in writing and received by
3 the Court at least **fourteen (14) days** prior to the conference.

4 The parties are required to submit a short Early Neutral
5 Evaluation Conference Statement about the case on a confidential
6 basis no later than **seven (7) days** before the conference.

7 Rule 26 of the Federal Rules of Civil Procedure shall apply
8 to this case. All discovery shall be stayed until after the Rule
9 26(f) conference, unless otherwise permitted by Rule 26(f) or
10 court order.

11 In the event the case does not settle at the Early Neutral
12 Evaluation Conference, the parties shall also be prepared to
13 discuss the following matters at the conclusion of the
14 conference:

15 1. Any anticipated objections under Federal Rule of Civil
16 Procedure 26(a)(1)(E) to the initial disclosure provisions of
17 Federal Rule of Civil Procedure 26(a)(1)(A-D);

18 2. The scheduling of the Federal Rule of Civil Procedure
19 26(f) conference;

20 3. The date of initial disclosure and the date for lodging
21 the discovery plan following the Rule 26(f) conference; and

22 4. The scheduling of a Case Management Conference pursuant
23 to Federal Rule of Civil Procedure 16(b).

24 Plaintiff's counsel shall give written notice of the Early
25 Neutral Evaluation Conference to parties responding to the
26 complaint after May 12, 2008.

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1 Questions regarding this case may be directed to the
2 Magistrate Judge's law clerk at (619) 557-6624.

3 IT IS SO ORDERED.

4 DATED: May 12, 2008

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6 Hon. William McCurine, Jr.
7 U.S. Magistrate Judge
United States District Court

1 **NOTICE OF RIGHT TO CONSENT TO TRIAL**
2 **BEFORE A UNITED STATES MAGISTRATE JUDGE**

3 IN ACCORDANCE WITH THE PROVISIONS OF 28 U.S.C. §
4 636(c), YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE JUDGE OF
5 THIS DISTRICT MAY, UPON THE CONSENT OF ALL PARTIES, ON FORM 1A
6 AVAILABLE IN THE CLERK'S OFFICE, CONDUCT ANY OR ALL PROCEEDINGS,
7 INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A
8 FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF SHALL BE RESPONSIBLE
9 FOR OBTAINING THE CONSENT OF ALL PARTIES, SHOULD THEY DESIRE TO
10 CONSENT.

11 YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR
12 NOT TO CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED
13 SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL
14 THE JUDGE OR MAGISTRATE JUDGE TO WHOM THE CASE HAS BEEN ASSIGNED
15 BE INFORMED OF YOUR DECISION.

16 JUDGMENTS OF THE U.S. MAGISTRATE JUDGES ARE
17 APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS
18 STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

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